

## STATE LICENSE FEE ACT

### Act 152 of 1979

AN ACT to provide for the establishment and collection of fees for the investigation, regulation, and enforcement of certain occupations and professions, and for certain agencies and businesses; to create certain funds for certain purposes; and to prescribe certain powers and duties of certain state agencies and departments.

**History:** 1979, Act 152, Eff. Jan. 1, 1980;—Am. 1988, Act 461, Eff. Sept. 1, 1989;—Am. 1990, Act 268, Imd. Eff. Oct. 17, 1990;—Am. 2006, Act 645, Imd. Eff. Jan. 5, 2007.

**Compiler's note:** For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

For transfer of powers and duties of certain health-related functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

*The People of the State of Michigan enact:*

#### **338.2201 Short title.**

Sec. 1. This act shall be known and may be cited as the “state license fee act”.

**History:** 1979, Act 152, Eff. Jan. 1, 1980.

**Compiler's note:** For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

For transfer of powers and duties of certain health-related functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

#### **338.2202 Definitions.**

Sec. 2. As used in this act:

(a) “Department” means the department of consumer and industry services.

(b) “Occupational code” means 1980 PA 299, MCL 339.101 to 339.2721.

**History:** Add. 1988, Act 461, Eff. Sept. 1, 1989;—Am. 1999, Act 171, Imd. Eff. Nov. 10, 1999.

**Compiler's note:** For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

#### **338.2203 Fees; use; disposition.**

Sec. 3. (1) Except as otherwise provided for in section 37, the fees prescribed by this act shall be used only to offset the cost of operating the department.

(2) Except as otherwise provided in sections 37, 38, and 51, the fees collected pursuant to this act shall be credited to the general fund of the state.

**History:** 1979, Act 152, Eff. Jan. 1, 1980;—Am. 1988, Act 461, Eff. Sept. 1, 1989;—Am. 1990, Act 268, Imd. Eff. Oct. 17, 1990;—Am. 1993, Act 139, Imd. Eff. Aug. 2, 1993;—Am. 2006, Act 645, Imd. Eff. Jan. 5, 2007;—Am. 2007, Act 77, Imd. Eff. Sept. 30, 2007.

**Compiler's note:** For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

MCL 338.2203, which was purported to be amended by 2007 PA 77, was not amended and should not have appeared in the title as an amended section.

#### **338.2205 Refund of fees; rules.**

Sec. 5. (1) Except under rules promulgated by the department pursuant to this section or as provided under section 411 of the occupational code, a fee collected by the department, when paid pursuant to this act, shall not be refunded.

(2) The department shall promulgate rules concerning the refund of fees, pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

**History:** 1979, Act 152, Eff. Jan. 1, 1980;—Am. 1988, Act 461, Eff. Sept. 1, 1989;—Am. 2004, Act 263, Imd. Eff. July 23, 2004.

**Compiler's note:** For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

**Administrative rules:** R 338.941 et seq. of the Michigan Administrative Code.

#### **338.2206 Late renewal fee.**

Sec. 6. The department shall charge a \$20.00 late renewal fee if a person fails to renew a license or registration on or before the expiration date prescribed by the department by rule as authorized under the occupational code.

**History:** Add. 1988, Act 461, Eff. Sept. 1, 1989;—Am. 1999, Act 171, Imd. Eff. Nov. 10, 1999.

**Compiler's note:** For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

### **338.2207 Duplicate license or registration; signed statement; fee.**

Sec. 7. The department may charge a fee for the issuance of a duplicate license or registration. The duplicate shall not be issued unless the person applying for the duplicate signs a statement that the original document has been lost, stolen, or destroyed. The fee for the duplicate shall be \$10.00.

**History:** 1979, Act 152, Eff. Jan. 1, 1980;—Am. 1988, Act 461, Eff. Sept. 1, 1989.

**Compiler's note:** For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

### **338.2208 Written verification that person not licensed or registered; fee; charge for specific detailed information.**

Sec. 8. (1) The department may charge a \$5.00 fee for providing written verification that a person is or is not licensed or registered at the time of the request for verification.

(2) If the person requesting written verification seeks specific detailed information beyond the information described in subsection (1), the charge for verification shall be \$15.00.

**History:** Add. 1988, Act 461, Eff. Sept. 1, 1989.

**Compiler's note:** For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

### **338.2209 Publication and distribution of public act and rules; fee.**

Sec. 9. The department may charge a fee for the publication and distribution of the public act from which a board's authority is derived and the rules promulgated under that act. The fee shall be \$2.00 or the cost of the publication, whichever is greater.

**History:** 1979, Act 152, Eff. Jan. 1, 1980;—Am. 1988, Act 461, Eff. Sept. 1, 1989.

**Compiler's note:** For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

### **338.2210 Correcting records and issuing new document; fee.**

Sec. 10. The department may charge a \$10.00 fee for correcting its records and issuing a new document when a person notifies the department of a change of name, address, or employer. If the change does not require the issuance of a new document, no charge shall be made for correcting the department's records.

**History:** Add. 1988, Act 461, Eff. Sept. 1, 1989.

**Compiler's note:** For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

### **338.2211 Public accountant; fees; accountancy enforcement fund; creation; administration; use; carrying forward unexpended balance.**

Sec. 11. (1) Fees for a person certified, registered, or licensed or seeking certification, registration, or licensure to engage in the practice of public accounting, under article 7 of the occupational code, MCL 339.720 to 339.736, are as follows:

(a) Application processing fee for individuals and firms.....	\$ 100.00
(b) License to practice for individuals and firms, per year.....	100.00
(c) Individual registration, per year.....	25.00
(d) Permit for temporary practice, per year.....	100.00
(e) Peer review fee .....	100.00

(2) The accountancy enforcement fund is created in the state treasury and shall be administered by the department. Beginning October 1, 2006, the money representing the increase in fees and the addition of the

peer review fee imposed in subsection (1) shall be deposited into the accountancy enforcement fund. The department shall utilize the accountancy enforcement fund for the enforcement of article 7 of the occupational code, MCL 339.720 to 339.736, regarding unlicensed activity, licensee and registrant disciplinary actions, and the peer review program conducted by the state board of accountancy and to reimburse the attorney general for expenses incurred in conducting prosecutions of any unlicensed practice and disciplinary actions. A reasonable amount of money in the fund may be used for expenses regarding participation in national accounting organizations essential to the regulation of certified public accountants, as determined and approved by the department. Any unexpended balance in the accountancy enforcement fund at the end of a fiscal year shall carry forward to the next fiscal year.

**History:** 1979, Act 152, Eff. Jan. 1, 1980;—Am. 1988, Act 461, Eff. Sept. 1, 1989;—Am. 2003, Act 87, Imd. Eff. July 23, 2003;—Am. 2005, Act 277, Imd. Eff. Dec. 19, 2005.

**Compiler's note:** For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

### **338.2213 Architect, professional engineer, or land surveyor; fees.**

Sec. 13. (1) Fees for a person licensed or seeking licensure as an architect under article 20 of the occupational code, MCL 339.2001 to 339.2014, are as follows:

- |     |  |          |
|-----|--|----------|
| (a) | Application processing.....              | \$ 30.00 |
| (b) | Supplemental application processing..... | 20.00    |
| (c) | License fee, per year.....               | 35.00    |

(2) Fees for a person licensed or seeking licensure as a professional engineer under article 20 of the occupational code, MCL 339.2001 to 339.2014, are as follows:

- |      |   |          |
|------|---|----------|
| (a)  | Application processing fee as follows:      |          |
| (i)  | If paid after                               |          |
|      | September 30, 2012.....                     | \$ 30.00 |
| (ii) | Beginning October 1, 2003 through           |          |
|      | September 30, 2012.....                     | 35.00    |
| (b)  | Supplemental application processing fee.... | 20.00    |
| (c)  | License fee, per year as follows:           |          |
| (i)  | If paid after                               |          |
|      | September 30, 2012.....                     | 20.00    |
| (ii) | Beginning October 1, 2003 through           |          |
|      | September 30, 2012.....                     | 40.00    |

(3) Fees for a person licensed or seeking licensure as a land surveyor under article 20 of the occupational code, MCL 339.2001 to 339.2014, are as follows:

- |       |   |          |
|-------|---|----------|
| (a)   | Application processing fee as follows:                    |          |
| (i)   | If paid after   |          |
|       | September 30, 2012.....                                   | \$ 30.00 |
| (ii)  | Beginning October 1, 2003 through                         |          |
|       | September 30, 2012.....                                   | 35.00    |
| (b)   | Supplemental application processing fee....               | 20.00    |
| (c)   | Examination fees:   |          |
| (i)   | Complete examination.....                                 | 110.00   |
| (ii)  | Part 1 of the examination (fundamentals)...               | 55.00    |
| (iii) | Part 2a of the examination (principles and practice)..... | 45.00    |
| (iv)  | Part 2b of the examination                                |          |
|       | (Michigan practice).....                                  | 40.00    |
| (d)   | Examination review.....                                   | 20.00    |
| (e)   | License fee, per year.....                                | 50.00    |

**History:** 1979, Act 152, Eff. Jan. 1, 1980;—Am. 1980, Act 295, Eff. Jan. 1, 1981;—Am. 1988, Act 461, Eff. Sept. 1, 1989;—Am. 2003, Act 87, Imd. Eff. July 23, 2003;—Am. 2007, Act 77, Imd. Eff. Sept. 30, 2007.

**Compiler's note:** For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

\*\*\*\*\* 338.2215 THIS SECTION IS AMENDED EFFECTIVE MAY 13, 2009: See 338.2215.amended \*\*\*\*\*

### **338.2215 Landscape architect; fees.**

Sec. 15. Fees for a person registered or seeking registration as a landscape architect under article 22 of the occupational code, MCL 339.2201 to 339.2211, are as follows:

- (a) Application processing fee as follows:
  - (i) If paid after September 30, 2012..... \$ 30.00
  - (ii) Beginning October 1, 2003 through September 30, 2012..... 35.00
- (b) Supplemental application processing fee.... 20.00
- (c) Examination fees:
  - (i) Complete examination..... 265.00
  - (ii) Section 1 of the examination..... 25.00
  - (iii) Section 2 of the examination..... 35.00
  - (iv) Section 3 of the examination..... 100.00
  - (v) Section 4 of the examination..... 125.00
- (d) Examination review..... 25.00
- (e) Registration fee, per year..... 40.00

**History:** 1979, Act 152, Eff. Jan. 1, 1980;—Am. 1980, Act 295, Eff. Jan. 1, 1981;—Am. 1988, Act 461, Eff. Sept. 1, 1989;—Am. 2003, Act 87, Imd. Eff. July 23, 2003;—Am. 2007, Act 77, Imd. Eff. Sept. 30, 2007.

**Compiler's note:** For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

\*\*\*\*\* 338.2215.amended *THIS AMENDED SECTION IS EFFECTIVE MAY 13, 2009* \*\*\*\*\*

### **338.2215.amended Landscape architect; fees.**

Sec. 15. Fees for a person licensed or seeking licensure as a landscape architect under article 22 of the occupational code, MCL 339.2201 to 339.2211, are as follows:

- (a) Application processing fee..... \$ 200.00
- (b) Supplemental application processing fee... 20.00
- (c) Examination fees:
  - (i) Complete examination..... 265.00
  - (ii) Section 1 of the examination..... 25.00
  - (iii) Section 2 of the examination..... 35.00
  - (iv) Section 3 of the examination..... 100.00
  - (v) Section 4 of the examination..... 125.00
- (d) Examination review..... 25.00
- (e) Licensure fee, per year..... 60.00

**History:** 1979, Act 152, Eff. Jan. 1, 1980;—Am. 1980, Act 295, Eff. Jan. 1, 1981;—Am. 1988, Act 461, Eff. Sept. 1, 1989;—Am. 2003, Act 87, Imd. Eff. July 23, 2003;—Am. 2007, Act 77, Imd. Eff. Sept. 30, 2007;—Am. 2008, Act 491, Eff. May 13, 2009.

**Compiler's note:** For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

### **338.2217 Barber, student barber, student instructor, barber instructor, person operating barbershop or barber college, or person seeking permit for demonstration or demonstrator's permit; fees.**

Sec. 17. (1) Fees for a person licensed or seeking licensure as a barber, student barber, student instructor, or barber instructor, for a person licensed or seeking licensure to operate a barbershop or barber college, or for a person seeking a permit for a demonstration or a demonstrator's permit under article 11 of the occupational code, MCL 339.1101 to 339.1118, are as follows:

- (a) Application processing fees:
  - (i) Student barber as follows:
    - (A) If paid after September 30, 2012..... \$ 15.00
    - (B) Beginning October 1, 2003 through September 30, 2012..... 20.00
  - (ii) Barber as follows:
    - (A) If paid after September 30, 2012..... 15.00
    - (B) Beginning October 1, 2003 through September 30, 2012..... 20.00

(iii)	Student instructor as follows:	
(A)	If paid after September 30, 2012.....	15.00
(B)	Beginning October 1, 2003 through September 30, 2012.....	20.00
(iv)	Barber instructor as follows:	
(A)	If paid after September 30, 2012.....	15.00
(B)	Beginning October 1, 2003 through September 30, 2012.....	20.00
(v)	Barbershop as follows:	
(A)	If paid after September 30, 2012.....	40.00
(B)	Beginning October 1, 2003 through September 30, 2012.....	50.00
(vi)	Barber college as follows:	
(A)	If paid after September 30, 2012.....	50.00
(B)	Beginning October 1, 2003 through September 30, 2012.....	75.00
(b)	Examination fees:	
(i)	Complete barber examination.....	75.00
(A)	Written portion only.....	35.00
(B)	Practical portion only.....	45.00
(ii)	Complete instructor examination.....	75.00
(A)	Written portion only.....	35.00
(B)	Practical portion only.....	45.00
(c)	Examination review.....	20.00
(d)	License fees, per year:	
(i)	Student barber as follows:	
(A)	If paid after September 30, 2012.....	15.00
(B)	Beginning October 1, 2003 through September 30, 2012.....	30.00
(ii)	Barber as follows:	
(A)	If paid after September 30, 2012.....	15.00
(B)	Beginning October 1, 2003 through September 30, 2012.....	30.00
(iii)	Student instructor as follows:	
(A)	If paid after September 30, 2012.....	15.00
(B)	Beginning October 1, 2003 through September 30, 2012.....	30.00
(iv)	Barber instructor as follows:	
(A)	If paid after September 30, 2012.....	25.00
(B)	Beginning October 1, 2003 through September 30, 2012.....	40.00
(v)	Barbershop as follows:	
(A)	If paid after September 30, 2012.....	30.00
(B)	Beginning October 1, 2003 through September 30, 2012.....	40.00
(vi)	Barber college.....	150.00
(e)	Demonstrator's temporary permit as follows:	
(i)	If paid after September 30, 2012.....	10.00
(ii)	Beginning October 1, 2003 through September 30, 2012.....	15.00
(f)	Demonstration temporary permit as follows:	

(i)	If paid after September 30, 2012.....	10.00
(ii)	Beginning October 1, 2003 through September 30, 2012.....	15.00

**History:** 1979, Act 152, Eff. Jan. 1, 1980;—Am. 1984, Act 24, Imd. Eff. Mar. 12, 1984;—Am. 1988, Act 461, Eff. Sept. 1, 1989;—Am. 2003, Act 87, Imd. Eff. July 23, 2003;—Am. 2007, Act 77, Imd. Eff. Sept. 30, 2007.

**Compiler's note:** For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

### **338.2219 Repealed. 1995, Act 126, Eff. Jan. 1, 1996.**

**Compiler's note:** The repealed section pertained to marriage counselor fees.

### **338.2221 Collection agency or collection agency manager; fees.**

Sec. 21. Fees for a person licensed or seeking licensure to operate a collection agency or to be a collection agency manager under article 9 of the occupational code, MCL 339.901 to 339.920, are as follows:

(a)	Application processing fees:	
(i)	Agency nonowner manager as follows:	
(A)	If paid after September 30, 2012.....	\$ 25.00
(B)	Beginning October 1, 2003 through September 30, 2012.....	35.00
(ii)	Agency.....	100.00
(b)	Examination fee.....	50.00
(c)	Examination review fee.....	20.00
(d)	License fee, per year:	
(i)	Agency nonowner manager.....	50.00
(ii)	Agency.....	125.00

**History:** 1979, Act 152, Eff. Jan. 1, 1980;—Am. 1980, Act 295, Eff. Jan. 1, 1981;—Am. 1981, Act 227, Imd. Eff. Jan. 7, 1982;—Am. 1988, Act 461, Eff. Sept. 1, 1989;—Am. 2003, Act 87, Imd. Eff. July 23, 2003;—Am. 2007, Act 77, Imd. Eff. Sept. 30, 2007.

**Compiler's note:** For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

### **338.2223 Professional community planner; fees.**

Sec. 23. Fees for a person registered or seeking registration as a professional community planner under article 23 of the occupational code, MCL 339.2301 to 339.2310, are as follows:

(a)	Application processing fee as follows:	
(i)	If paid after September 30, 2012.....	\$ 30.00
(ii)	Beginning October 1, 2003 through September 30, 2012.....	35.00
(b)	Supplemental application processing fee....	20.00
(c)	Examination fee; Michigan portion.....	100.00
(d)	Examination review.....	25.00
(e)	Registration fee, per year.....	50.00

**History:** 1979, Act 152, Eff. Jan. 1, 1980;—Am. 1980, Act 295, Eff. Jan. 1, 1981;—Am. 1988, Act 461, Eff. Sept. 1, 1989;—Am. 2003, Act 87, Imd. Eff. July 23, 2003;—Am. 2007, Act 77, Imd. Eff. Sept. 30, 2007.

**Compiler's note:** For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

### **338.2225 Cosmetologist, manicurist, natural hair culturist, esthetician, electrologist, instructor, operator of cosmetology establishment or school of cosmetology, person seeking student registration or transfer, or person conducting apprenticeship program; fees.**

Sec. 25. Fees for a person licensed or seeking licensure as a cosmetologist, manicurist, natural hair culturist, esthetician, electrologist, or instructor or a person licensed or seeking licensure to operate a cosmetology establishment or school of cosmetology, seeking a student registration or transfer, or seeking a permit to conduct an apprenticeship program under article 12 of the occupational code, MCL 339.1201 to

339.1218, are as follows:

(a)	Application processing fees:	
(i)	Apprenticeship program.....	\$ 25.00
(ii)	Cosmetologist, manicurist, natural hair culturist, esthetician, electrologist, or instructor as follows:	
(A)	If paid	
	after September 30, 2012.....	10.00
(B)	Beginning October 1, 2003 through September 30, 2012.....	15.00
(iii)	Cosmetology establishment.....	25.00
(iv)	School of cosmetology.....	100.00
(b)	Examination fees:	
(i)	Complete examination for cosmetologist, manicurist, natural hair culturist, esthetician, electrologist, or instructor.....	25.00
(ii)	Written portion only.....	15.00
(iii)	Practical portion only.....	15.00
(iv)	Examination review.....	20.00
(c)	License fees, per year:	
(i)	Cosmetologist, manicurist, natural hair culturist, esthetician, electrologist, or instructor as follows:	
(A)	If paid	
	after September 30, 2012.....	12.00
(B)	Beginning October 1, 2003 through September 30, 2012.....	24.00
(ii)	Cosmetology establishment.....	25.00
(iii)	School of cosmetology.....	100.00
(d)	Student registration or transfer fee as follows:	
(i)	If paid	
	after September 30, 2012.....	5.00
(ii)	Beginning October 1, 2003 through September 30, 2012.....	15.00

**History:** 1979, Act 152, Eff. Jan. 1, 1980;—Am. 1980, Act 295, Eff. Jan. 1, 1981;—Am. 1988, Act 461, Eff. Sept. 1, 1989;—Am. 1997, Act 98, Imd. Eff. Aug. 7, 1997;—Am. 2003, Act 87, Imd. Eff. July 23, 2003;—Am. 2007, Act 77, Imd. Eff. Sept. 30, 2007.

**Compiler's note:** For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

### **338.2227 Employment or consulting agent or operator of personnel agency; fees.**

Sec. 27. Fees for a person licensed or seeking licensure as an employment or consulting agent or for a person licensed or seeking licensure to operate a personnel agency under article 10 of the occupational code, MCL 339.1001 to 339.1022, are as follows:

(a)	Application processing fees:	
(i)	Personnel agency.....	\$ 225.00
(ii)	Employment or consulting agent.....	30.00
(iii)	Officer or stockholder change.....	25.00
(b)	Examination fee.....	50.00
(c)	Examination review.....	20.00
(d)	License fee, per year:	
(i)	Personnel agency.....	125.00
(ii)	Employment or consulting agent as follows:	
(A)	If paid after	
	September 30, 2012.....	30.00
(B)	Beginning October 1, 2003 through September 30, 2012.....	40.00

**History:** 1979, Act 152, Eff. Jan. 1, 1980;—Am. 1980, Act 295, Eff. Jan. 1, 1981;—Am. 1988, Act 461, Eff. Sept. 1, 1989;—Am. 1992, Act 252, Imd. Eff. Nov. 19, 1992;—Am. 2003, Act 87, Imd. Eff. July 23, 2003;—Am. 2007, Act 77, Imd. Eff. Sept. 30, 2007.

Rendered Friday, January 22, 2010

Page 7

Michigan Compiled Laws Complete Through PA 242 of 2009



**Compiler's note:** For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

### **338.2228 Auctioneer; registration fees.**

Sec. 28. Fees for an individual registered or seeking registration as an auctioneer under article 29 of the occupational code, MCL 339.2901 to 339.2919, are as follows:

- (a) Application processing for registered auctioneer..... \$ 50.00
- (b) Examination fee for registered auctioneer.. 50.00
- (c) Registration fees, per year:
  - (i) Auctioneer - individual..... 200.00
  - (ii) Auctioneer - firm..... 200.00

**History:** Add. 2006, Act 490, Imd. Eff. Dec. 29, 2006;—Am. 2007, Act 77, Imd. Eff. Sept. 30, 2007.

### **338.2229 Forester; fees.**

Sec. 29. Fees for a person registered or seeking registration as a forester under article 21 of the occupational code, MCL 339.2101 to 339.2108, are as follows:

- (a) Application processing fee..... \$ 50.00
- (b) Registration fee, per year as follows:
  - (i) If paid after September 30, 2012..... 25.00
  - (ii) Beginning October 1, 2003 through September 30, 2012..... 40.00

**History:** 1979, Act 152, Eff. Jan. 1, 1980;—Am. 1980, Act 295, Eff. Jan. 1, 1981;—Am. 1988, Act 461, Eff. Sept. 1, 1989;—Am. 2003, Act 87, Eff. July 23, 2003;—Am. 2007, Act 77, Imd. Eff. Sept. 30, 2007.

**Compiler's note:** For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

### **338.2231 Hearing aid dealer, salesperson, or trainee; fees.**

Sec. 31. Fees for a person licensed or seeking licensure as a hearing aid dealer, salesperson, or trainee under article 13 of the occupational code, MCL 339.1301 to 339.1309, are as follows:

- (a) Application processing fees:
  - (i) Dealer..... \$ 20.00
  - (ii) Salesperson..... 20.00
  - (iii) Trainee..... 10.00
- (b) Examination fees:
  - (i) Complete dealer examination..... 100.00
  - (ii) Dealer examination, per part..... 35.00
  - (iii) Complete salesperson examination..... 100.00
  - (iv) Salesperson examination, per part..... 30.00
- (c) Examination review..... 20.00
- (d) License fees, per year:
  - (i) Dealer..... 80.00
  - (ii) Salesperson..... 50.00
  - (iii) Trainee as follows:
    - (A) If paid after September 30, 2012..... 20.00
    - (B) Beginning October 1, 2003 through September 30, 2012..... 40.00

**History:** 1979, Act 152, Eff. Jan. 1, 1980;—Am. 1980, Act 295, Eff. Jan. 1, 1981;—Am. 1988, Act 461, Eff. Sept. 1, 1989;—Am. 2003, Act 87, Imd. Eff. July 23, 2003;—Am. 2007, Act 77, Imd. Eff. Sept. 30, 2007.

**Compiler's note:** For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

### **338.2233 Repealed. 1995, Act 183, Imd. Eff. Oct. 23, 1995.**

**Compiler's note:** The repealed section pertained to required fees for horologists and horology apprentices.

### **338.2235 Repealed. 1988, Act 461, Eff. Sept. 1, 1989.**



**Compiler's note:** The repealed section pertained to fees for land sold or offered for sale under MCL 565.801 to 565.835.

**338.2237 Real estate broker, associate broker, salesperson, or branch office; fees; registration of property approved under land sales act; real estate education fund; real estate enforcement fund; creation and use.**

Sec. 37. (1) Fees for a person licensed or seeking licensure as a real estate broker, associate broker, salesperson, or branch office or seeking other licenses or approvals issued under article 25 of the occupational code, MCL 339.2501 to 339.2518, are as follows:

- (a) Application processing fees:
  - (i) Brokers and associate brokers as follows:
    - (A) If paid  
after September 30, 2012..... \$ 20.00
    - (B) Beginning October 1, 2003 through  
September 30, 2012..... 35.00
  - (ii) Salespersons..... 10.00
  - (iii) Branch office..... 10.00
- (b) License fees, per year:
  - (i) Brokers and associate brokers..... 36.00
  - (ii) Salespersons..... 26.00
- (c) Branch office fee, per year as follows:
  - (i) If paid  
after September 30, 2012..... 10.00
  - (ii) Beginning October 1, 2003 through  
September 30, 2012..... 20.00
- (d) Sale of out of state property:
  - (i) Application to sell..... 20.00
  - (ii) Property registration..... 500.00
  - (iii) Renewal of approval to sell..... 20.00

(2) A fee shall not be required for the registration of property approved under the land sales act, 1972 PA 286, MCL 565.801 to 565.835.

(3) The real estate education fund is established in the state treasury and shall be administered by the department. Fifteen dollars of each license fee received by the department under subsection (1)(b) during that 3-year license cycle shall be deposited with the state treasurer to the credit of the real estate education fund. The department shall utilize the real estate education fund only for the operation of departmental programs related to education required of all licensees or applicants for licensure under article 25 of the occupational code, MCL 339.2501 to 339.2518. Any unexpended balance in the real estate education fund at the end of a fiscal year shall carry forward to the next fiscal year.

(4) The real estate enforcement fund is created in the state treasury and shall be administered by the department. Beginning October 1, 2003, \$15.00 of each license fee received by the department under subsection (1)(b) during that 3-year license cycle shall be deposited into the real estate enforcement fund. The department in conjunction with the attorney general shall utilize the real estate enforcement fund only for the investigation and enforcement of actions regarding unlicensed activity and real estate fraud. Any unexpended balance in the real estate enforcement fund at the end of a fiscal year shall carry forward to the next fiscal year.

**History:** 1979, Act 152, Eff. Jan. 1, 1980;—Am. 1980, Act 295, Eff. Jan. 1, 1981;—Am. 1981, Act 227, Imd. Eff. Jan. 7, 1982;—Am. 1983, Act 145, Imd. Eff. July 18, 1983;—Am. 1988, Act 461, Eff. Sept. 1, 1989;—Am. 2002, Act 623, Imd. Eff. Dec. 23, 2002;—Am. 2003, Act 87, Imd. Eff. July 23, 2003;—Am. 2006, Act 645, Imd. Eff. Jan. 5, 2007;—Am. 2007, Act 77, Imd. Eff. Sept. 30, 2007.

**Compiler's note:** For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

**338.2238 State licensed real estate appraiser, certified general real estate appraiser, certified residential real estate appraiser, or limited real estate appraiser; fees; inclusion of federal fee; establishment, administration, funding, and utilization of real estate appraiser education fund; unexpended balance to be carried forward.**

Sec. 38. (1) Fees for an individual licensed or seeking licensure as a state licensed real estate appraiser, a certified general real estate appraiser, a certified residential real estate appraiser, or a limited real estate appraiser under article 26 of the occupational code, MCL 339.2601 to 339.2637, are as follows:

- (a) Application processing fees:

- (i) Certified general real estate appraiser as follows:
  - (A) If paid after September 30, 2012..... \$ 25.00
  - (B) Beginning October 1, 2003 through September 30, 2012..... \$ 35.00
- (ii) Certified residential real estate appraiser as follows:
  - (A) If paid after September 30, 2012..... \$ 25.00
  - (B) Beginning October 1, 2003 through September 30, 2012..... \$ 35.00
- (iii) State licensed real estate appraiser as follows:
  - (A) If paid after September 30, 2012..... \$ 25.00
  - (B) Beginning October 1, 2003 through September 30, 2012..... \$ 35.00
- (iv) Limited real estate appraiser as follows:
  - (A) If paid after September 30, 2012..... \$ 25.00
  - (B) Beginning October 1, 2003 through September 30, 2012..... \$ 35.00
- (b) Examination fees, if the department conducts its own examination:
  - (i) Certified general real estate appraiser.... \$ 100.00
  - (ii) Certified residential real estate appraiser..... \$ 100.00
  - (iii) State licensed real estate appraiser..... \$ 100.00
- (c) License fee, per year:
  - (i) Certified general real estate appraiser.... \$ 175.00
  - (ii) Certified residential real estate appraiser..... \$ 175.00
  - (iii) State licensed real estate appraiser..... \$ 175.00
  - (iv) Limited real estate appraiser..... \$ 125.00
- (d) Temporary permit fee..... \$ 125.00

(2) The license fee includes a fee imposed by the federal government under sections 1113 and 1114 of title XI of the financial institutions reform, recovery, and enforcement act of 1989, Public Law 101-73, 12 USC 3331 to 3351, for certified general real estate appraisers, certified residential real estate appraisers, and state licensed real estate appraisers, which shall not exceed \$50.00 per licensee and which the department shall collect and pay to the federal government pursuant to section 2637 of the occupational code, MCL 339.2637.

(3) The real estate appraiser education fund is established in the state treasury and shall be administered by the department. Ten dollars of each fee received under subsection (1)(c) shall be deposited with the state treasurer to the credit of the real estate appraiser education fund. The department shall utilize the real estate appraiser education fund only for the operation of departmental programs related to the education required of all licensees or applicants for licensure under article 26 of the occupational code, MCL 339.2601 to 339.2637. Any unexpended balance in the real estate appraiser education fund at the end of a fiscal year shall carry forward to the next fiscal year.

**History:** Add. 1990, Act 268, Imd. Eff. Oct. 17, 1990;—Am. 1999, Act 171, Imd. Eff. Nov. 10, 1999;—Am. 2003, Act 87, Imd. Eff. July 23, 2003;—Am. 2007, Act 77, Imd. Eff. Sept. 30, 2007.

**Compiler's note:** For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

### **338.2239 Residential builder or residential maintenance and alteration contractor, salesperson, or branch office; fees; builder enforcement fund; creation; administration; allocation; use; carryforward of unexpended balance.**

Sec. 39. (1) Fees for a person licensed or seeking licensure as a residential builder or residential maintenance and alteration contractor, salesperson, or branch office under article 24 of the occupational code, MCL 339.2401 to 339.2412, are as follows:

(a)	Application processing fee.....	\$ 15.00
(b)	Examination fees:	
(i)	Complete builder or maintenance and alteration contractor examination.....	50.00
(ii)	Law and rules portion.....	30.00
(iii)	Practice or trades portion.....	30.00
(iv)	Salesperson examination.....	30.00
(c)	Examination review.....	20.00
(d)	License fee only for the first license cycle of an initial or renewal licensee following the effective date of the amendatory act that added subsection (2), per year .....	60.00
(e)	License fee, per year.....	50.00

(2) The builder enforcement fund is created in the state treasury and shall be administered by the department. The department shall be the administrator of the fund for audit purposes. A 1-time-only \$30.00 allocation from a license fee received by the department under subsection (1)(d) during a single 3-year license cycle shall be deposited into the builder enforcement fund. The department shall make the \$30.00 allocation only once per licensee. In the case of the \$50.00 license fee paid under subsection (1)(e), \$5.00 of that \$50.00 fee shall be allocated to the builder enforcement fund. If on December 1 of any year following the calendar year 2010, the department determines that the balance in the builder enforcement fund is more than \$3,000,000.00, the \$5.00 allocation to the builder enforcement fund from the \$50.00 renewal fee due after January 1 of the following year shall not be made. If on any subsequent December 1 the department determines that the balance in the fund is less than \$750,000.00, the \$5.00 allocation shall resume for any renewal fee due after January 1 of the following year. Notwithstanding section 3, the department shall utilize the builder enforcement fund only for the enforcement of article 24 of the occupational code, MCL 339.2401 to 339.2412, regarding unlicensed activity as further described in section 601(1) and (2) of the occupational code, MCL 339.601, and to reimburse the attorney general for the reasonable cost of services provided to the department and for expenses incurred in prosecutions for such unlicensed practice or prosecuting attorney for expenses incurred in conducting prosecutions of such unlicensed practice. Any unexpended balance in the builder enforcement fund at the end of a fiscal year shall carry forward to the next fiscal year.

**History:** 1979, Act 152, Eff. Jan. 1, 1980;—Am. 1980, Act 295, Eff. Jan. 1, 1981;—Am. 1988, Act 461, Eff. Sept. 1, 1989;—Am. 2003, Act 87, Imd. Eff. July 23, 2003;—Am. 2007, Act 77, Imd. Eff. Sept. 30, 2007;—Am. 2007, Act 158, Eff. June 1, 2008.

**Compiler's note:** For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

### **338.2241 Repealed. 1995, Act 104, Imd. Eff. June 23, 1995.**

**Compiler's note:** The repealed section pertained to myomassologist fees.

### **338.2243 Practice of mortuary science, operator of funeral establishment, resident trainer, embalmer, or funeral director; fees.**

Sec. 43. (1) Fees for a person licensed or seeking licensure to engage in the practice of mortuary science or to operate a funeral establishment or for a person licensed or seeking licensure as a resident trainee or licensed as an embalmer or funeral director under article 18 of the occupational code, MCL 339.1801 to 339.1812, are as follows:

(a)	Application processing fees:	
(i)	Mortuary science license.....	\$ 20.00
(ii)	Funeral establishment license.....	115.00
(iii)	Resident trainee.....	15.00
(b)	Examination fees:	
(i)	Complete examination.....	200.00
(ii)	National examination only.....	150.00
(iii)	State examination only.....	50.00
(c)	Examination review.....	25.00
(d)	License fees, per year:	
(i)	Mortuary science as follows:	
(A)	If paid after September 30, 2012.....	30.00
(B)	Beginning October 1, 2003 through	

	September 30, 2012.....	40.00
(ii)	Funeral establishment.....	55.00
(iii)	Embalmer.....	30.00
(iv)	Funeral director as follows:	
(A)	If paid after	
	September 30, 2012.....	30.00
(B)	Beginning October 1, 2003 through	
	September 30, 2012.....	40.00
(v)	Resident trainee as follows:	
(A)	If paid after	
	September 30, 2012.....	15.00
(B)	Beginning October 1, 2003 through	
	September 30, 2012.....	30.00

**History:** 1979, Act 152, Eff. Jan. 1, 1980;—Am. 1980, Act 295, Eff. Jan. 1, 1981;—Am. 1988, Act 461, Eff. Sept. 1, 1989;—Am. 2003, Act 87, Imd. Eff. July 23, 2003;—Am. 2007, Act 77, Imd. Eff. Sept. 30, 2007.

**Compiler's note:** For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

### **338.2245 Repealed. 2000, Act 11, Imd. Eff. Mar. 7, 2000.**

**Compiler's note:** The repealed section pertained to finding a person unqualified.

### **338.2247 Repealed. 2001, Act 139, Imd. Eff. Oct. 26, 2001.**

**Compiler's note:** The repealed section pertained to nursing home administrator licensing fees.

### **338.2249 Repealed. 2004, Act 403, Eff. May, 13, 2005.**

**Compiler's note:** The repealed section pertained to license fees for professional boxing.

### **338.2251-338.2261 Repealed. 1993, Act 87, Eff. Apr. 1, 1994.**

**Compiler's note:** The repealed sections pertained to fees for persons engaged in manufacture, distribution, prescribing, or dispensing controlled substances, chiropractors, counselors, dentists, dental assistants, dental hygienists, persons engaged in practice of medicine or seeking approval to supervise physician's assistants, registered nurses, licensed practical nurses, trained attendants, and optometrists.

### **338.2262 Ocularist or apprentice ocularist; fees.**

Sec. 62. Fees for a person registered or seeking registration as an ocularist or an apprentice ocularist under article 27 of the occupational code, MCL 339.2701 to 339.2721, are as follows:

(a)	Application processing fee as follows:	
(i)	If paid after	
	September 30, 2012.....	15.00
(ii)	Beginning October 1, 2003 through	
	September 30, 2012.....	35.00
(b)	Registration fee, per year:	
(i)	Ocularist as follows:	
(A)	If paid after	
	September 30, 2012.....	20.00
(B)	Beginning October 1, 2003 through	
	September 30, 2012.....	40.00
(ii)	Apprentice as follows:	
(A)	If paid after	
	September 30, 2012.....	10.00
(B)	Beginning October 1, 2003 through	
	September 30, 2012.....	20.00

**History:** Add. 1982, Act 210, Imd. Eff. July 2, 1982;—Am. 1988, Act 461, Eff. Sept. 1, 1989;—Am. 2003, Act 87, Imd. Eff. July 23, 2003;—Am. 2007, Act 77, Imd. Eff. Sept. 30, 2007.

**Compiler's note:** For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

### **338.2263-338.2275 Repealed. 1993, Act 87, Eff. Apr. 1, 1994.**

**Compiler's note:** The repealed sections pertained to fees for pharmacists or other practices regulated under MCL 333.17701 to 333.17770, physical therapists, physician's assistants, podiatrists, psychologists, sanitarians, certified occupational therapists, certified occupational therapist assistants, veterinarians, and veterinary technicians.

**338.2277 Effective date.**

Sec. 77. This act shall take effect January 1, 1980.

**History:** 1979, Act 152, Eff. Jan. 1, 1980.

**Compiler's note:** For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.